

UNITED STATES DISTRICT COURT

MICHAEL SPEIGHT,

Plaintiff

v.

AMANDA KAELEBLEIN

Defendant

Case No.:1:24-cv-12363

**MOTION FOR DEFAULT JUDGMENT, MOTION TO COMPEL, AND REQUEST
FOR HEARING ON DAMAGES**

NOW COMES the Plaintiff, Michael Speight, and respectfully moves this Honorable Court to enter **Default Judgment** against Defendant Amanda Kaelblein pursuant to Rule 55 of the Federal Rules of Civil Procedure.

Plaintiff further moves to **compel Defendant's compliance** with all lawful obligations and requests a **hearing on damages** pursuant to Rule 55(b)(2).

In support of this motion, Plaintiff states as follows:

1. Defendant Amanda Kaelblein was properly served with the **original complaint** in this matter and failed to respond for **over 180 days**, despite having actual notice of the lawsuit.
2. Plaintiff subsequently filed an **Amended Complaint** on **10/16/2025**, and Defendant has still not filed any response or made an appearance in this case, in over 150 days.
3. The Plaintiff filed for default on 12/11/2024
4. On **February 3, 2025**, Plaintiff appeared before this Court and **argued that Defendant should be entered into default judgment** for her repeated failure to respond. The Court took the **matter under advisement**, and notably, Defendant failed to appear at that hearing.

5. Additionally, Defendant was represented by legal counsel attorney Shaddox , in related **probate court proceedings** during the same period. During mediation, her attorney acknowledged awareness of this federal case and stated, "*We're not worried about it,*" indicating **deliberate disregard and disrespect for this Court's authority.**
6. Defendant's repeated failures to respond, coupled with her attorney's dismissive conduct, constitute **willful noncompliance** and support entry of **Default Judgment** under **Fed. R. Civ. P. 55(a).**
7. Plaintiff has suffered ongoing and serious harm, including but not limited to **loss of parental rights, emotional trauma, reputational harm, and financial damages** due to the Defendant's conduct.
8. Because the precise amount of damages cannot be determined from the pleadings alone, Plaintiff respectfully **requests a hearing under Rule 55(b)(2)** to present evidence of damages and relief sought.

LEGAL STANDING

Ackra Direct Mktg. Corp. v. Fingerhut Corp., 86 F.3d 852 (8th Cir. 1996)

- **Key Point:** Consistent failure to respond or participate in discovery justifies default judgment.

Hritz v. Woma Corp., 732 F.2d 1178 (3d Cir. 1984)

- **Key Point:** Default judgment is appropriate when a party demonstrates willful disregard for the judicial process.

Au Bon Pain Corp. v. Artect, Inc., 653 F.2d 61 (2d Cir. 1981)

- **Key Point:** Where a defendant fails to appear or otherwise defend, default judgment may be properly entered.

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KPS & Assocs., Inc. v. Designs by FMC, Inc., 318 F.3d 1 (1st Cir. 2003)

- *Key Point:* A party's failure to plead or otherwise defend allows for entry of default judgment under Fed. R. Civ. P. 55.
- *Quote:* "A district court has considerable discretion with respect to the entry of default judgment, which may be appropriate when the adversary process has been halted because of an essentially unresponsive party."

United States v. \$23,000 in U.S. Currency, 356 F.3d 157 (1st Cir. 2004)

- *Key Point:* Default judgment is valid where the defendant fails to assert a claim or defend against the suit.

- Quote: "Once default has been entered, the court may enter judgment if liability is well-pleaded and supported by the evidence."

Boston Gas Co. v. Century Indem. Co., 529 F.3d 8 (1st Cir. 2008)

- *Key Point:* A party's failure to appear or respond can be grounds for default, and courts assess sufficiency of the complaint when granting judgment.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court:

- A. Enter **Default Judgment** against Defendant Amanda Kaelblein
- B. **Schedule a hearing** to determine the appropriate amount of damages;
- C. Compel Defendant to comply with any and all future court obligations

and deadlines;

D. Award any other relief this Court deems just and proper.

Respectfully Submitted,

4/5/25



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I certify that a correct copy of this motion was served to Amanda Kaelblein through IPS Court services on April 5 ,2025.

4/5/25



Michael Sean Speight